UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,314	03/20/2001	Sean E. Carolan	2000-0296 A	2924

7590 08/11/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2661	8

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DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 March 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-7_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-7_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _3/20/01_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Claim Objections

1.   Claims 1-7 are objected to because of the following informalities and it applicant :

In claim 1 line 2 it is suggested to applicant to insert "first" before –subscriber-, in line 17

replace the first occurrence of "the" with "either" and delete second of occurrence of "the".

In claim 6 line 16 delete the second occurrence of "the".

In claim 7 line 13 and line 16 delete the second occurrence of "the".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this
> or a foreign country, before the invention thereof by the applicant for a patent.

3.   Claims 1-7 are rejected under 35 U.S.C. 102(a) as being anticipated by Sistanizadeh et al

4.   US patent No. 6,452,925 (Sistanizadeh et al) discloses an Universal Access multimedia

data network comprising a method of configuring a network access device (PC devices 316,

318, 310, lap top 324 in Fig. 3) having a first network address allocated to a subscriber of

services of a first service provider provided by a first service network (former address provided

by first SP, col 13 lines 18-23) with a new network address allocated to a second subscriber of

services (in order to obtain a new address and if the user desires to use a different internet

service provider user clicks on application and provides to user name and password , col 13

lines 17-19) of either the first service provider, or a second service provider provided by a

second service network. wherein the network access device is connected to an access network

connected to a plurality of service networks (access network is to the right of router 330 is

connected to a plurality of service networks in Fig. 3), comprising the steps of: sending a request

from the network access device to the access network with user credentials for a change to the

second service provider (sending a DHCP request for an IP address) receiving a response from

the access network (DHCP server sends back an acknowledgement DHCPACK, col 12 line 47-

49); and initiating a network address change request using a configuration protocol (address

change request uses a DHCP protocol, col 36-39) whereby, a second network address allocated

to the second subscriber of services of either the first or the second service providers is assigned

to the network access device , the second network address being utilized by the network access

device to communicate data packets to the service network providing the selected service

(system performs a DHCPDISCOVER Message and a DHCPOFFER is sent to access device

that in response will send a DHCPREQUEST message that will identify *the new 2nd IP address*,

col 13 lines17-26), as in claim 1; wherein said request to said access network includes an

authentication request for the second subscriber (encryption and authentication are incorporated

for use between the customer and the server, col 11 lines 29-32), as in claim 2; wherein said

response received from said access network includes an authentication status for the second

subscriber from either the first or the second service providers and, if authenticated, initiating

said network address change request (authentication is provided between DCHP server and

customer , col 10 lines 44-52) , as in claim 3; wherein the host configuration protocol is a

dynamic host configuration protocol (configuration is DHCP col 5 line 57), as in claim 4;

wherein the network access device receives an Internet Protocol address (col 10 line 36-43) , as

in claim 5.

A method of configuring a network access device having a first network address

allocated to a first subscriber of services of a first service provider provided by a first service

network (first network address is the former address that will be later released by device col 13

line 22), with a new network address allocated to a second subscriber of services of a second

service provider provided by a second service network (system performs a DHCPDISCOVER

Message and a DHCPOFFER is sent to access device that in response will send a

DHCPREQUEST message that will identify *the new 2nd IP address*, col 13 lines 17-26),

wherein the network access is connected to an access network connected to a plurality of service

networks (access network to the right of router 330 is connected to a plurality of service

networks in Fig. 3) comprising the steps of sending a request from the network access device to

the access network provider (sending a DHCP request for an IP address with user credentials

requesting a change to a second service provider(col 13 lines 17-18) for the second subscriber ;

receiving a response from the access network (DHCP server sends back an acknowledgement

DHCPACK, col 12 line 47-49) and initiating a network address change request using a DHCP

configuration protocol(address change request uses a DHCP protocol, col 36-39), whereby a

second network address allocated to the second subscriber of services of the second service

provider is assigned to the network access device (in order to obtain a new address and if the

user desires to use a different internet service provider user clicks on application and provides to

user name and password , col 13 lines 17-19, system performs a DHCPDISCOVER Message

and a DHCPOFFER is sent to access device that in response will send a DHCPREQUEST

message that will identify *the new 2ⁿᵈ IP address*, col 13 lines 17-26) , the second network

address being utilized by the network access device to communicate data packets to the service

network providing selected service (in order to obtain a new address and if the user desires to

use a different internet service provider user clicks on application and provides to user name

and password , col 13 lines 17-19,system performs a DHCPDISCOVER Message and a

DHCPOFFER is sent to access device that in response will send a DHCPREQUEST message

that will identify *the new 2ⁿᵈ IP address*, col 13 lines 17-26) , as in claim 6.

A method of configuring a network access device having a first network address

allocated (first network address is the former address that will be later released by device col 13

line 22) to a first subscriber of services of a service provider provided by a first service network

, with a new network address allocated to a second subscriber of services of the service provider,

system performs a DHCPDISCOVER Message and a DHCPOFFER is sent to access device

that in response will send a DHCPREQUEST message that will identify *the new 2ⁿᵈ IP address*,

col 13 lines 17-26) wherein the network access device is connected to an access network

communicating with a service activation system and connected to a plurality of service

networks(access network is to the right of router 330 in Fig. 3 and is connected to a plurality of

service networks and activation takes place after authentication between devices in the network,

i.e. change of address will take place –activated- only if customer has authenticated DHCP server

as a valid server), comprising the steps of: sending authentication information for the second

subscriber to the service activation system over the access network (authentication is provided in

the network between devices i.e. DCHP server and customer , col 10 lines 44-52); receiving an

authentication status for the second subscriber (i.e. confirmation after authentication as a valid

server) and, if authenticated; initiating a network address change request using a configuration

protocol (change of address will take place only if customer has authenticated DHCP server as

a valid server, col 10 lines 48-53), , whereby a network address allocated to the second

subscriber for selected service provider is assigned to the network access device (in order to

obtain a new address and if the user desires to use a different internet service provider user

clicks on application and provides to user name and password , col 13 lines 17-19, system

performs a DHCPDISCOVER Message and a DHCPOFFER is sent to access device that in

response will send a DHCPREQUEST message that will identify *the new 2nd IP address*, col 13

lines 17-26) , the network address being utilized by the network access device to communicate

data packets to the service network providing selected service, as in claim 7.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

- US patent No. 6,704,288 (Dziekan et al) discloses an arrangement for discovering

  topology of a network.

- US patent No. 6,753,887 (Carolan et al) discloses a method for dynamically displaying

  information in a user interface.

- US patent No. 6,603,758 (Schmuelling wet al) discloses a system for supporting multiple

  service providers.

  Any response to this action should be mailed to:

  Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

(for formal communications intended for entry, for informal or draft communications, please

label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to **Ricardo Pizarro** whose telephone number is (703) 305-1121. The

examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM. The fax

number for this Group is (703) 872-9314.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Douglas Olms**, can be reached on (703) 305-4703.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-4700.

7/31/2004

Ricardo M. Pizarro